

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOHANES WIDJAJA, *et al.*,

Plaintiffs,

- against -

ORDER

09-CV-2089 (RRM) (CLP)

KANG YUE USA CORP. *et al.*,

Defendants.

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MAUSKOPF, United States District Judge.

On September 3, 2010, Magistrate Judge Cheryl L. Pollak issued a Report and Recommendation (the "R&R") [Docket No. 30] recommending that the claims of Plaintiff Min Joongkin Kim be dismissed with prejudice for failure to prosecute under Rule 41(b) of the Federal Rules of Civil Procedure. Judge Pollak reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due by September 20, 2010. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). As the R&R correctly notes, and as the record makes clear, Plaintiff Kim's own attorney acknowledges that he has not been able to locate or communicate with Plaintiff for some period of time despite several attempts.

Accordingly, it is hereby ORDERED that all claims in this action brought by Plaintiff Min Joongkin Kim are DISMISSED WITH PREJUDICE. The Clerk of Court is directed to take any and all appropriate action consistent with this Order, including terminating Plaintiff Min Joongkin Kim as a party, and entering any necessary judgment.

SO ORDERED.

Dated: Brooklyn, New York
September 21, 2010

s/RRM

ROSLYNN R. MAUSKOPF
United States District Judge